

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

VITALY KOLOSHA,)	
)	
Petitioner,)	
)	
vs.)	NO. CIV-24-0049-HE
)	
DAVID ROGERS, WARDEN,)	
)	
Respondent.)	

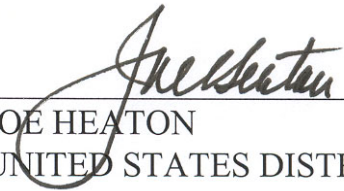
ORDER

Petitioner Vitaly Kolosha, appearing *pro se*, seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Pursuant to 28 U.S.C. § 636(b)(1)(B),(C), the matter was referred to Magistrate Judge Suzanne Mitchell for initial proceedings. On February 12, 2024, Judge Mitchell issued a Report and Recommendation recommending the court dismiss petitioner's petition for writ of habeas corpus without prejudice for lack of jurisdiction as a second or successive habeas petition without Tenth Circuit authorization. Petitioner was advised of his right to object to the Report and Recommendation by March 4, 2024. No objection has been filed. Petitioner has therefore waived his right to appellate review of the factual and legal issues addressed in the report. Cassanova v. Ulibarri, 595 F.3d 1120, 1123 (10th Cir. 2010).

Accordingly, the court **ADOPTS** the Report and Recommendation [Doc. #5] and **DISMISSES** the § 2241 petition for writ of habeas corpus without prejudice, for lack of jurisdiction as a second or successive habeas petition without Tenth Circuit authorization.

IT IS SO ORDERED.

Dated this 14th day of March, 2024.



JOE HEATON
UNITED STATES DISTRICT JUDGE